

tion are respectively brought before them, and to acquit such persons, or to sentence such persons for the offense if convicted thereof, unless such respective persons so charged, when so brought before any such Justice of the Peace and before they are respectively tried, as aforesaid, shall pray a jury trial. If any person charged with the commission of any one or more of the several offenses mentioned in Section 369 hereof, and brought before any Justice of the Peace, shall pray a jury trial as aforesaid, it shall be the duty of the said Justice of the Peace to commit such person for trial, or to hold him in bail to appear before the Criminal Court of Baltimore or the Circuit Court for the county as the case may be; and to return the commitment or the recognizance in such case immediately to the Clerk of said Court, and if such person or persons shall be found to be guilty of a violation of any of the provisions of Section 369 hereof, the Court or justice of the Peace imposing the punishment therein prescribed shall also award to the rightful owner or dealer possession of all of the property involved in such violation.

An. Code, sec. 337. 1904, sec. 312. 1902, ch. 245, sec. 206A. 1916, ch. 528, sec. 337.

373. A returnable container as used in this sub-title is hereby defined to be any device made of any material whatsoever, used for the purpose of holding, containing or converting into a package, goods, wares or merchandise, or packages thereof, either of necessity or for convenience of delivery or sale, and which container is, by its very nature susceptible of repeated use for such purpose, and the title to which container the vendor does not intend to pass with the sale of the container; and for the purpose of this sub-title the requiring, taking or accepting of any deposit for any purpose upon any registered returnable container shall not be deemed to constitute a sale of such container, whether optional, conditional or otherwise, in any proceeding had under this sub-title.

An. Code, sec. 338. 1904, sec. 313. 1902, ch. 245, sec. 206B. 1916, ch. 528, sec. 338.

374. Any person, partnership or body corporate that has heretofore registered returnable containers under the provisions of the law, as the same stood at the time of such registration, shall not be required to again register the same, but shall be entitled to all the benefits of this sub-title as if the same had been registered hereunder; provided, however, that it shall be unlawful for any person or corporation to adopt and register under the provisions of this sub-title any returnable container or description, name, mark or device that has been previously registered by any other person, or is at such time used or in use by any other person in good faith, whether under the provisions of this article or otherwise.

An. Code, sec. 339. 1904, sec. 314. 1902, ch. 245, sec. 206C. 1906, ch. 47.
1916, ch. 28, sec. 339.

375. In any prosecution under any of the provisions of the preceding sections, it shall not be necessary to set forth or describe the name, mark or device affixed or attached to or impressed or imprinted upon any returnable container, nor to set forth the particulars of the registration of